

# EXHIBIT C

**From:** Vanaskie, Thomas I. <[thomas.vanaskie@stevenslee.com](mailto:thomas.vanaskie@stevenslee.com)>  
**Sent:** Thursday, April 14, 2022 11:43 AM  
**To:** Jason M. Reefer <[JMR@Pietragallo.com](mailto:JMR@Pietragallo.com)>; Christopher Geddis <[CGeddis@mazieslater.com](mailto:CGeddis@mazieslater.com)>; Frank H. Stoy <[FHS@Pietragallo.com](mailto:FHS@Pietragallo.com)>  
**Cc:** Valsartan PEC <[valpec@kirtlandpackard.com](mailto:valpec@kirtlandpackard.com)>; DECValsartan@btlaw.com; Larry Macstravic <[Larry\\_MacStravic@njd.uscourts.gov](mailto:Larry_MacStravic@njd.uscourts.gov)>; Loretta Smith <[Loretta\\_Smith@njd.uscourts.gov](mailto:Loretta_Smith@njd.uscourts.gov)>  
**Subject:** [EXTERNAL]RE: Valsartan - Plaintiffs' Proposed Order

Dear Mr. Reefer,

Thank you for your email. I understand your objections. You are correct that the proposed Order goes beyond that which was discussed during our call. However, I do believe that it is appropriate to impose a duty of supplementation as requested by Plaintiffs. In fact, such a duty exists under the law, and requiring supplementation as a matter of course should facilitate the exchange of relevant information and avoid discovery disputes. Thus, I have decided to adopt the proposed order with one addition: requiring Plaintiffs to submit a report to the Court on the status of the meet and confer process by May 3, 2022.

Sincerely,

Thomas I. Vanaskie  
Special Master

**Hon. Thomas I. Vanaskie (Ret.)**  
**Stevens & Lee**  
1500 Market Street, East Tower, Suite 1800  
Philadelphia, PA 19102  
T: 215-568-7560  
F: 610-371-7360  
425 Biden Street, Suite 300  
Scranton, PA  
F: 610-371-7360  
[thomas.vanaskie@stevenslee.com](mailto:thomas.vanaskie@stevenslee.com)

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**From:** Jason M. Reefer <[JMR@Pietragallo.com](mailto:JMR@Pietragallo.com)>  
**Sent:** Thursday, April 14, 2022 11:15 AM  
**To:** Christopher Geddis <[CGeddis@mazieslater.com](mailto:CGeddis@mazieslater.com)>; Frank H. Stoy <[FHS@Pietragallo.com](mailto:FHS@Pietragallo.com)>; Vanaskie, Thomas I. <[thomas.vanaskie@stevenslee.com](mailto:thomas.vanaskie@stevenslee.com)>  
**Cc:** Valsartan PEC <[valpec@kirtlandpackard.com](mailto:valpec@kirtlandpackard.com)>; [DECValsartan@btlaw.com](mailto:DECValsartan@btlaw.com); Larry Macstravic

<Larry\_MacStravic@njd.uscourts.gov>; Loretta Smith <Loretta\_Smith@njd.uscourts.gov>

**Subject:** RE: Valsartan - Plaintiffs' Proposed Order

Dear Judge Vanaskie –

Please accept this email in lieu of a formal response to Plaintiffs' letter for the sake of expedience. Should the Court desire, Defendants will reduce this correspondence to a formal letter and file on the ECF docket to complete the record.

Defendants object to the entry of the Order in the form submitted by Plaintiffs, which had not previously been shared with or approved by Defense counsel. The use of the language "contaminated valsartan," in and of itself, is improper, which is why it was removed from the MDL caption by the JPML.

But more significantly, the proposed Order goes well beyond what was proposed at the April 13 status conference or contemplated when the Court granted Plaintiffs' request. Indeed, the relief referenced in Plaintiffs' agenda statement, ECF No. 2006, was that Defendants be "required to meet and confer on the issues raised in Plaintiffs' March 17, 2022 letter." Only during the conference itself did Plaintiffs first suggest a deadline of April 30, which the Court agreed to adopt.

However, the proposed Order goes well beyond the requirement that Defendants meet and confer. Indeed, Plaintiffs attempt to graft on a substantive mandate that "Defendants shall disclose to Plaintiffs any change in the status quo of such agreements, disputes, litigation, mediation, or arbitration; new demands to defend or indemnify; establishment of any new agreements; or any new dispute, litigation, mediation, or arbitration, without the need for Plaintiffs to make any further request."

None of this was raised in Plaintiffs' agenda statement, discussed at the conference, or approved by the Court. It would be entirely improper to resolve substantive disputes regarding the scope of disclosures required by Defendants before the issue is even raised and the meet-and-confer process (which Plaintiffs demand) has been completed.

Accordingly, Defendants object to the entry of the proposed Order submitted by Plaintiffs.

Respectfully submitted,

Jason M. Reefer

**Jason M. Reefer, Esquire**


Pietragallo Gordon Alfano Bosick & Raspanti, LLP

One Oxford Centre, 38th Floor

Pittsburgh, PA 15219

Office: (412) 263-1840 | Fax: (412) 263-4235

[JMR@Pietragallo.com](mailto:JMR@Pietragallo.com) | [BIO](#) | [vCard](#)

Connect with me on LinkedIn: 



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**From:** Christopher Geddis <[CGeddis@mazieslater.com](mailto:CGeddis@mazieslater.com)>  
**Sent:** Thursday, April 14, 2022 10:25 AM  
**To:** Frank H. Stoy <[FHS@Pietragallo.com](mailto:FHS@Pietragallo.com)>; Vanaskie, Thomas I. <[TIV@stevenslee.com](mailto:TIV@stevenslee.com)>  
**Cc:** Valsartan PEC <[valpec@kirtlandpackard.com](mailto:valpec@kirtlandpackard.com)>; [DECValsartan@btlaw.com](mailto:DECValsartan@btlaw.com); Larry Macstravic  
<[Larry\\_MacStravic@njd.uscourts.gov](mailto:Larry_MacStravic@njd.uscourts.gov)>; Loretta Smith <[Loretta\\_Smith@njd.uscourts.gov](mailto:Loretta_Smith@njd.uscourts.gov)>  
**Subject:** [EXTERNAL]Valsartan - Plaintiffs' Proposed Order

Dear Judge Vanaskie,

Please see attached for the Letter from Adam M. Slater Enclosing Plaintiffs' Proposed Order Regarding Defendants' Defend and Indemnify Agreements and Disputes, as filed, together with a Word version of the proposed order.

Respectfully,  
Chris

Christopher J. Geddis  
Associate Attorney  
**Mazie Slater Katz & Freeman, LLC**  
103 Eisenhower Parkway  
Roseland, New Jersey 07068  
(973) 228-9898  
[cgeddis@mazieslater.com](mailto:cgeddis@mazieslater.com)  
[www.mazieslater.com](http://www.mazieslater.com)



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**From:** Christopher Geddis  
**Sent:** Tuesday, April 12, 2022 3:44 PM  
**To:** Frank H. Stoy <[FHS@Pietragallo.com](mailto:FHS@Pietragallo.com)>; Vanaskie, Thomas I. <[TIV@stevenslee.com](mailto:TIV@stevenslee.com)>  
**Cc:** Valsartan PEC <[valpec@kirtlandpackard.com](mailto:valpec@kirtlandpackard.com)>; [DECValsartan@btlaw.com](mailto:DECValsartan@btlaw.com); Larry Macstravic  
<[Larry\\_MacStravic@njd.uscourts.gov](mailto:Larry_MacStravic@njd.uscourts.gov)>; Loretta Smith <[Loretta\\_Smith@njd.uscourts.gov](mailto:Loretta_Smith@njd.uscourts.gov)>  
**Subject:** RE: Valsartan - April 13, 2022 Status Conference

Dear Judge Vanaskie,

Please see attached for Plaintiffs' agenda letter for tomorrow's status conference.

Best,  
Chris

Christopher J. Geddis  
Associate Attorney  
**Mazie Slater Katz & Freeman, LLC**  
103 Eisenhower Parkway  
Roseland, New Jersey 07068  
(973) 228-9898  
[cgeddis@mazieslater.com](mailto:cgeddis@mazieslater.com)  
[www.mazieslater.com](http://www.mazieslater.com)



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**From:** Frank H. Stoy <[FHS@Pietragallo.com](mailto:FHS@Pietragallo.com)>  
**Sent:** Tuesday, April 12, 2022 3:42 PM  
**To:** Vanaskie, Thomas I. <[TIV@stevenslee.com](mailto:TIV@stevenslee.com)>  
**Cc:** Valsartan PEC <[valpec@kirtlandpackard.com](mailto:valpec@kirtlandpackard.com)>; [DECValsartan@btlaw.com](mailto:DECValsartan@btlaw.com); Larry Macstravic <[Larry\\_MacStravic@njd.uscourts.gov](mailto:Larry_MacStravic@njd.uscourts.gov)>; Loretta Smith <[Loretta\\_Smith@njd.uscourts.gov](mailto:Loretta_Smith@njd.uscourts.gov)>  
**Subject:** Valsartan - April 13, 2022 Status Conference

Dear Judge Vanaskie:

Please see the attached Position Statement submitted on behalf of the Defendants' Executive Committee in connection with the April 13, 2022 status conference. This document has also been filed electronically with the Court.

Respectfully submitted,  
Frank

**Frank H. Stoy, Esquire**  
Pietragallo Gordon Alfano Bosick & Raspanti, LLP  
38th Floor, One Oxford Centre  
Pittsburgh, PA 15219  
Office: 412-263-4397 | Fax: 412-263-4258  
[FHS@Pietragallo.com](mailto:FHS@Pietragallo.com) | [BIO](#) | [vCard](#)  
Connect with me on LinkedIn: 



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